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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,479	11/11/2000	Rika Kusuda	JP919990158	5680

7590 05/20/2003
Ference & Associates
129 Oakhurst Road
Pittsburgh, PA 15215

EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 05/20/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

58

Office Action Summary

Application No.

09/710,479

Applicant(s)

KUSUDA ET AL.

Examiner

Gerald Gauthier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. **Claims 1-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Noonan et al. (US 5,761,280) in view of Silverman (US 6,226,668).

Regarding **claim 1**, Noonen discloses a telephone web browser arrangement (column 1, lines 5-9), (which reads on claimed on “a browser equipped telephone capable of displaying a web page by a browser”) comprising:

an inputter (25 on FIG. 1) , which inputs a URL (column 2, line 63 “URL”) of a web page (column 2, lines 58-67) [The keypad is used to input the URL of the web page to the GUI Web browser];

a transmitter (10 on FIG. 1), which transmits the URL inputted by the inputter in a form (column 6, line 6 “graphical data”) that can be distinguished (column 6, lines 1-7) [The interface communicating with the URL inputted by the user in a graphical data on the display].

Noonen fails to disclose a receiver, an answerer and a decoder.

However, Silverman teaches a receiver (110 on FIG. 1), which receives a URL (column 3, line 17 “web page”) and associated voice message (column 3, line 12 “leave a message”) from the outside through an incoming telephone call (column 3, lines 9-19) [The web messaging device receives the telephone call and the profile information associated with the subscriber];

an answerer (110 on FIG. 1) which records and reproduces the URL and associated voice message (column 3, line 14 “message”) received by the receiver (column 3, lines 13-24) [The web messaging device stores in the message in the database and generates a web page]; and

a decoder (110 on FIG. 1), which converts into a character format (column 3, line 30 “web page identification”) and sends to the browser (140 on FIG. 1) the URL

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reproduced by the answerer (column 3, lines 24-34) [The web messaging device send the web page identification to subscriber' terminal].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a receiver, an answerer and a decoder of Silverman in the invention of Noonen.

The modification of the invention would offer the capability of a receiver, an answerer and a decoder such as the system would receive multimedia message.

Regarding **claims 2 and 9**, Noonen discloses the inputter automatically fetches a URL of a web page being displayed and sends the URL to the transmitter (column 3, lines 1-7).

Regarding **claims 3 and 10**, Noonen discloses a URL encoder, which converts into a tone signal format the URL of a character format inputted by the inputter, wherein the decoder converts into a character format the URL of a tone signal format received by the receiver (column 3, lines 8-18).

Regarding **claims 4 and 11**, Noonen discloses a URL function identifier, which determines whether the telephone of the other party has a URL function (column 3, lines 42-57).

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Regarding **claims 5 and 12**, Noonan and Silverman as applied to **claims 4 and 11** differ from **claims 5 and 12**, in that it fails to disclose a URL function identification request at the time a call is placed.

However, Silverman teaches the URL function identifier transmits a URL function identification request at the time a call is placed, and transmits a URL function identification reply in response to a URL function identification request from the other party at the time a call is received (column 4, lines 22-38).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a URL function identification request at the time a call is placed of Silverman in the invention.

The modification of the invention would offer the capability of a URL function identification request at the time a call is placed such as the system would receive multimedia message.

Regarding **claims 6 and 13**, Noonan and Silverman as applied to **claims 4 and 11** differ from **claims 6 and 13**, in that it fails to disclose a CTRL function identification request to a calling party.

However, Silverman teaches the URL function identifier transmits a CTRL function identification request to a calling party at the time a call is received, and returns a URL function identification reply to a called party in response to a URL function identification request from the called party (column 4, lines 39-48).

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It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a CTRL function identification request to a calling party of Silverman in the invention.

The modification of the invention would offer the capability of a CTRL function identification request to a calling party such as the system would receive multimedia message.

Regarding **claims 7 and 14**, Noonan and Silverman as applied to **claims 1 and 8** differ from **claims 7 and 14**, in that it fails to disclose transmitting the URL together with a voice message.

However, Silverman teaches the transmitter adds delimiters before and after the URL, respectively, and transmits the URL together with a voice message (column 3, lines 16-33).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use transmitting the URL together with a voice message of Silverman in the invention.

The modification of the invention would offer the capability of transmitting the URL together with a voice message such as the system would receive multimedia message.

Regarding **claim 8**, Noonan discloses a telephone web browser method (column 1, lines 5-9), (which reads on claimed on “a browser equipped telephone capable of displaying a web page by a browser, a method for recording a URL of a web page”), comprising the steps of:

inputting a URL (column 2, lines 58-67) [The keypad is used to input the URL of the web page to the GUI Web browser];

transmitting the URL in a form (column 6, line 6 “graphical data”) that can be distinguished (column 6, lines 1-7) [The interface communicating with the URL inputted by the user in a graphical data on the display].

Noonan fails to disclose a receiving a URL, recording and reproducing the URL and converting the reproducing URL in answering mode.

However, Silverman teaches receiving a URL (column 3, line 17 “web page”) and associated voice message (column 3, line 14 “message”) that are transmitted from the outside through an incoming call (column 3, lines 9-19) [The web messaging device receives the telephone call and the profile information associated with the subscriber];

recording and reproducing the received URL and associated voice message (column 3, lines 13-24) [The web messaging device stores in the message in the database and generates a web page]; and

converting the reproduced URL into a character format (column 3, line 30 “web page identification”) and providing it to the browser (column 3, lines 24-34) [The web messaging device send the web page identification to subscriber’ terminal].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a receiving a URL, recording and reproducing the URL and converting the reproducing URL in answering mode of Silverman in the invention of Noonen.

The modification of the invention would offer the capability of a receiving a URL, recording and reproducing the URL and converting the reproducing URL in answering mode such as the system would receive multimedia message.

Regarding **claim 15**, Noonen discloses a telephone web browser method (column 1, lines 5-9), (which reads on claimed on "a program storage device readable by machine for tangibly embodying a program of instructions executable by the machine [column 2, lines 47-57] to perform, in a browser equipped telephone capable of displaying a web page by a browser, a method for recording a URL of a web page"), the method comprising the steps of:

inputting a URL (column 2, lines 58-67) [The keypad is used to input the URL of the web page to the GUI Web browser];

transmitting the URL in a form (column 6, line 6 "graphical data") that can be distinguished (column 6, lines 1-7) [The interface communicating with the URL inputted by the user in a graphical data on the display].

Noonen fails to disclose a receiving a URL, recording and reproducing the URL and converting the reproducing URL in answering mode.

However, Silverman teaches receiving a URL (column 3, line 17 "web page") and associated voice message (column 3, line 14 "message") that are transmitted from the outside through an incoming call (column 3, lines 9-19) [The web messaging device receives the telephone call and the profile information associated with the subscriber];

recording and reproducing the received URL and associated voice message (column 3, lines 13-24) [The web messaging device stores in the message in the database and generates a web page]; and

converting the reproduced URL into a character format (column 3, line 30 "web page identification") and providing it to the browser (column 3, lines 24-34) [The web messaging device send the web page identification to subscriber' terminal].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a receiving a URL, recording and reproducing the URL and converting the reproducing URL in answering mode of Silverman in the invention of Noonan.

The modification of the invention would offer the capability of a receiving a URL, recording and reproducing the URL and converting the reproducing URL in answering mode such as the system would receive multimedia message.

Response to Arguments

4. Applicant's arguments with respect to **claims 1-15** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

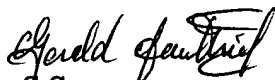
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
May 9, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

